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AVENTIS US PAT DEPT

NO. 5803

P. 1/23

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JAN 08 2004

OFFICIAL

FAX TRANSMITTAL
TO THE UNITED STATES PATENT OFFICE

Applicants Docket Number:
CA2295US-NP

Applicants:
COLLIS, et al.

Serial No.
09/871,564

Filing Date:
May 31, 2001

Title of Invention:
Heteroaryl-Cyclic Acetals

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at 703-872-9306, on

Date of Deposit January 8, 2004

Printed Name of Person Signing Certificate Paul Irvine

Signature

Total Number of Pages Sent: 23

Attorney: Ronald G. Ort

Group Art Unit: 1614
Examiner: Unknown

TO: Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Please acknowledge receipt of the below-listed documents for the above Application by returning this sheet, signed and dated, by return telefax to (908) 231-2626. If any fees are required, please charge our deposit account (18-1982) in the name of Aventis Pharmaceuticals Inc.

- | | |
|--|---|
| <input type="checkbox"/> Amendment, 37 CFR _____ | <input type="checkbox"/> Fee Transmittal |
| <input type="checkbox"/> Charge deposit account, in duplicate | <input checked="" type="checkbox"/> Petition under 37 CFR <u>§1.181(a)(3)</u> |
| <input type="checkbox"/> Extension of Time Petition | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Issue Fee Transmittal & Advance Order | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Maintenance Fee Transmittal | |

Aventis Pharmaceuticals Inc., Route 202-206, P.O. Box 6800, Bridgewater, New Jersey 08807, U.S.A. www.aventis.com
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Aventis Pharmaceuticals Inc. template (March 2001)

JAN. 8. 2004 10:56AM

AVENTIS US PAT DEPT

NO. 5803 P. 2/23

Docket No. CA2295US-NP

Application No. 09/871,564

RECEIVED
CENTRAL FAX CENTER

JAN 08 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
COLLIS, et al.

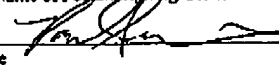
Examiner: **Unknown**

Art Unit: **1614**

Application No.: **09/871,564**

Filed: **May 31, 2001**

Title: **Heteroaryl-Cyclic Acetals**

TELEFAX CERTIFICATE	
I hereby certify that this correspondence is being transmitted via facsimile to Mail Stop: PETITION, Commissioner for Patents, Alexandria, VA 22313, at 703-872-9306 on	
January 8, 2004	
Date of Transmission	
Paul Irvine	
Printed Name of Person Signing Certificate	
	
Signature	

**RESUBMISSION OF PETITION TO WITHDRAW HOLDING OF
ABANDONMENT PURSUANT TO 37 C.F.R. §1.181(a)**

Mail Stop: PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

This document is a Resubmission of a Petition to Withdraw Holding of Abandonment Pursuant to 37 C.F.R. §1.181(a) which was originally submitted by facsimile on March 7, 2002. The original Petition is attached hereto (18 pages), including our Fax Transmittal Report (1 page) and, as the last page, the Auto-Reply Facsimile Transmission receipt (1 page) sent by the USPTO.

Applicants have never received a Notice of Abandonment for this case, nor has the application been advanced to examination. After numerous telephone calls to the USPTO, the Office of Initial Patent Examination (OIPE) located the physical file in the Missing Parts Section. Apparently, the Declaration of one of the inventors, Alan Collis, originally submitted November 12, 2001 had been lost, and the file was placed in abeyance without any notification to applicants. It is noted that November 12, 2001 was during the period after September 11, 2001, when mail to the USPTO was disrupted due to security concerns.

Even though applicants never received a Notice of Abandonment, on March 7, 2002, applicants submitted the attached Petition, fearing that the application may have been declared abandoned, but that the Notice was somehow lost. The Petition includes copies of

Docket No. CA2295US-NP

Application No. 09/871,564


all of the Declarations which had been supplied with the original Response to Notice of Missing Parts on November 12, 2001.

Applicants have checked the status of the application on the PAIR system, which still indicates "Application Undergoing Preexam Processing". The entries indicate that the Missing Parts sent in November 2001 were received, but there is no notation regarding the Petition submitted in March 2002.

In view of the above, Applicants respectfully request the Commissioner to take whatever steps are necessary to get the present application back into the examination process. Since the application has never been officially held as "abandoned", perhaps this should be considered a Petition under 37 C.F.R. §1.181(a)(3), "To invoke the supervisory authority of the Commissioner in appropriate circumstances."

It is not believed that any fee is due at this time. However, if any fee is due, please charge Deposit Account No. 18-1982.

Respectfully submitted,



Ronald G. Ort
Registration No. 26,969
Attorney for Applicant

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-4656
Telefax (908) 231-2626

Aventis Docket No. CA2295US-NP

**FAX TRANSMITTAL
TO THE UNITED STATES PATENT OFFICE****Applicants Docket Number:**
CA2295US-NP**Applicants:**
Alan Collis, et al.**Serial No.**
09/871,564**Filing Date:**
May 31, 2001**Title of Invention:**
Heteroaryl-Cyclic Acetals**TO: Commissioner for Patents**
Box DAC
Washington, D.C. 20231

CERTIFICATE OF TRANSMISSION
I hereby certify that this correspondence is being transmitted via facsimile to the Commissioner for Patents, Washington, D.C. 20231, 703-872-9306, at **Box DAC**, on
Date of Deposit: **March 7, 2002**
Printed Name of Person Signing Certificate: **Paul R. Darkes**
Signature: *Paul R. Darkes*

Total Number of Pages Sent: 18**Attorney: Paul R. Darkes**
Registration No. 33,862
Group Art Unit: 1614
Examiner: Not yet assigned

Please acknowledge receipt of the below-listed documents for the above Application by returning this sheet, signed and dated, by return telefax to (908) 231-2626. If any fees are required, please charge our deposit account (18-1982) in the name of **Aventis Pharmaceuticals Inc.**

- | | |
|--|--|
| <input type="checkbox"/> Amendment and Response, Submission under 37 CFR 1.114 | <input type="checkbox"/> Fee Transmittal |
| <input type="checkbox"/> Charge deposit account, in duplicate | <input type="checkbox"/> Petition under 37 CFR |
| <input type="checkbox"/> Extension of Time Petition | <input checked="" type="checkbox"/> Other Petition to Withdraw Holding of Abandonment Pursuant to 37 CFR 1.181(a) |
| <input type="checkbox"/> Issue Fee Transmittal & Advance Order | <input checked="" type="checkbox"/> Other :
Copy of Applicants' Response to Notice to File Missing Parts
Copy of Return Postcard Sent with Response
Copy of Return Postcard Stamped by U.S.P.T.O.
Copy of Notice of Incomplete Reply |

☐ Maintenance Fee Transmittal
Receipt Confirmed:

Signed

Dated

Aventis Pharmaceuticals Inc., Route 202-206, P.O. Box 6800, Bridgewater, New Jersey 08807, U.S.A. www.aventis.com
NOTICE: The documents accompanying this telecopy transmission are intended only for the use of the individual or entity named above. If you have received this telecopy in error, please immediately notify the sender by telephone to arrange for the return of the original documents.

Aventis Pharmaceuticals Inc. template (March 2001)

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of
Collis et al

Art Unit: 1614

Serial No.: 09/871,564

Filed: May 31, 2001

Title: Heteroaryl-Cyclic Acetals

I hereby certify that this correspondence is being
transmitted via facsimile to the Commissioner for
Patents, Box: DAC, Washington, D.C. 20231, at 703-
872-9306, on

Date of Transmittal March 7, 2002
Paul R. Darkes**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**
PURSUANT TO 37 C.F.R. § 1.181(a)**BOX: DAC**Commissioner for Patents
Washington, D.C. 20231

Sir:

This Petition to Withdraw Holding of Abandonment is being filed before receipt of any Notice of Abandonment and is, therefore, timely filed pursuant to 37 C.F.R. § 1.181(f).

Pursuant to 37 C.F.R. §§ 1.181(a) and 1.17, and M.P.E.P. § 711.03(c), it is believed that no fee is due regarding the filing of this petition. Should it be determined that a fee is required, the Commissioner is authorized to charge any deficiency to Deposit Account No. 18-1982, upon which the undersigned is authorized to draw.

Background

The present application was filed on May 31, 2001. On August 3, 2001, a Notice to File Missing Parts was mailed by the U.S.P.T.O., indicating that the oath or declaration was unsigned, and indicating a period of two months to file all required items. On November 12, 2001, all required items were filed in a response to the Notice, along with a Petition for Extension of Time for Two Months. A post card returned by the U.S.P.T.O. indicated that the Response was received on January 14, 2002. On February 26, 2002, a Notice of Incomplete Reply was mailed by the U.S.P.T.O., incorrectly indicating that the signature of inventor, Alan Collis, was missing from the oath or declaration. This Notice of Incomplete Reply was received by the Applicants' Patent Department on March 4, 2002.

Because the original Notice to File Missing Parts was mailed on August 3, 2001, and because March 3, 2002 (2 month response period, plus 5 month period for extension of time) fell on a Sunday, it is assumed by Applicants that the last day for response to the Notice of Incomplete Reply was March 4, 2002. Therefore, it is assumed that the application became abandoned, by operation of law, on March 5, 2002.

However, as discussed below, Applicants' initial response to the Notice to File Missing Parts was complete as filed on November 12, 2001, and the mailing of a Notice of Incomplete Reply was inappropriate. Therefore, it is proper that the holding of abandonment, which is assumed to have occurred on March 5, 2002, be withdrawn.

Facts in Support of Petition

On November 12, 2001, Applicants filed a Response to the Notice to File Missing Parts (a copy of which is submitted herewith), containing the proper Certificate of Mailing pursuant to 37 C.F.R. § 1.8. Applicants records indicate that this response included: Declarations and Powers of Attorney, signed by all three named inventors, Alan Collis, Frank Halley, and Iain McClay; an Extension of Time Petition, and one copy thereof; the Response to Notice to File Missing Parts itself (which consisted of one page) and two copies thereof; a copy of the Notice to File Missing Parts; and a return postcard documenting the inclusion of all of the above with the response (a copy of which is submitted herewith).

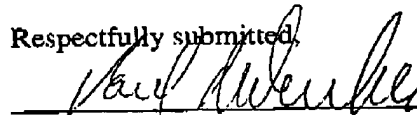
On January 29, 2002, the postcard was received in Applicants' Patent Office, and had been stamped by the U.S.P.T.O., indicating that Applicants' Response had been received on January 14, 2002 (a copy of this returned postcard is submitted herewith).

Applicants' records clearly indicate that a Declaration and Power of Attorney signed by Alan Collis was filed with their November 12 response. Further, the return postcard documented the number of pages, and contents of the response, and corresponds to those of the response contained in Applicants' records. Therefore, the Notice of Incomplete Reply, sent by the U.S.P.T.O. on February 26, 2002, and received in Applicants' Patent Office on March 4, 2002 (a copy of which is submitted herewith), and which indicated that the signature of Alan Collis was missing from the oath or declaration, was incorrect.

Therefore, Applicants' response to the Notice to file Missing Parts was complete, and timely filed.

In view of the above remarks and support provided herewith, reconsideration and withdrawal of the holding of abandonment of the present application, which is assumed to have occurred on March 5, 2002, and revival of the application, are respectfully requested.

Respectfully submitted,



Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206/P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone: 908-231-3638
Facsimile: 908-231-2626

Paul R. Darkes
Registration No. 33,862
Attorney for Applicant
March 7, 2002

Enclosures: Copy of Applicants' Response to Notice to File Missing Parts
Copy of Return Postcard Sent with Response
Copy of Return Postcard Stamped by U.S.P.T.O.
Copy of Notice of Incomplete Reply

file copy

APPLICANTS <i>Collins et al</i>	SERIAL NO. <i>09/871,564</i>	DATE <i>11-12-01</i>
DOCKET NO. <i>CA 229545-NP</i>	ATTY <i>T. Newman</i>	
APPLICANT(S)		
TITLE OF INVENTION: <i>Heteroaryl-Cyclic Acetals</i>		
The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below:		
<input type="checkbox"/> Affidavit/Declaration, 37 CFR	<input type="checkbox"/> Maintenance fee transmittal	
<input type="checkbox"/> Amendment, 37 CFR	<input type="checkbox"/> Patent Application	<input type="checkbox"/> # of pages <input type="checkbox"/> # of pages of claims
<input type="checkbox"/> Appeal notice/Appeal Brief	<input type="checkbox"/> # of sheets of drawings	<input type="checkbox"/> Declaration/Oath: <input type="checkbox"/> signed <input type="checkbox"/> unsigned
<input type="checkbox"/> Assignment & Cover Sheet	<input type="checkbox"/> Transmittal letter	
<input type="checkbox"/> Cert. of correction request	<input type="checkbox"/> PCT Application, transmittal, request & fee sheet	
<input type="checkbox"/> Cert. of Exp. Mailing, Date: _____	<input type="checkbox"/> Petition under 37 CFR	
No. _____	<input checked="" type="checkbox"/> Power of Attorney Signed Dec. 11/01 (copy)	
<input type="checkbox"/> Charge deposit account, in duplicate	<input checked="" type="checkbox"/> Priority Claim Formalities Letter (copy)	
<input type="checkbox"/> Check \$ _____ for _____	<input type="checkbox"/> Reply, 37 CFR	
<input type="checkbox"/> Demand for PCT examination	<input checked="" type="checkbox"/> Other Response To Notice To File	
<input checked="" type="checkbox"/> Extension of time petition - + 1 copy	<i>Missing Parts of Nonprovisional</i>	
<input type="checkbox"/> IDS (information disclosure statement)	<i>Application Filing Date Granted</i>	
PTO Form 1449: # of pages enc. _____	PTO Date Stamp and Return	<i>(copy) + 2 copies</i>
# of reference enc. _____		
<input type="checkbox"/> Issue fee transmittal & advance order		

NO

ACTION DUE	<i>05/01/2004</i>
DUE DATE	
DKTD BY	<i>Rj 11-12-01</i>
ATTY	<i>TN</i>

JAN. 8. 2004 10:58AM

AVENTIS US PAT DEPT

NO. 5803 P. 8/23

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Collis et al

Group Art:

Serial No.: 09/871,564

Filed: May 31, 2001

Title: Heteroaryl-Cyclic Acetals

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Box: Missing Parts, Washington, D.C. 20231. on

Date of Deposit: November 12, 2001

Bonnie Stein
Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILING DATE GRANTED**

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Box Missing Parts

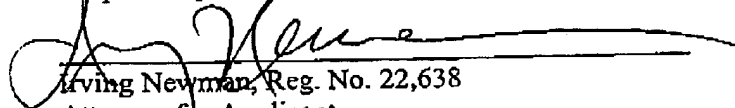
Sir:

Responsive to the Notice to Filing Missing Parts of Application – Filing Date Granted mailed August 3, 2001, enclosed herewith is a copy of the Formalities Letter and the original executed Declaration and Power of Attorney for Patent Application. These documents should complete the filing requirements for the above-identified application.

A 2-month Petition for an Extension of Time is also enclosed. Please charge to Deposit Account No. 18-1982 for the 2-month extension charge of \$400.00

Please charge Deposit Account No. 18-1982 for the surcharge of \$130 for filing the Declaration and Power of Attorney. Any deficiency or overpayment should be charged or credited to Deposit Account No. 18-1982. An original and two copies of this sheet are enclosed.

Respectfully submitted,


Irving Newman, Reg. No. 22,638
Attorney for Applicant

Enclosures: Formalities Letter
Signed Declaration and Power of Attorney
Petition for Extension of Time

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone: 908-231-2785
Telefax: 908-231-2626
Docket No. CA2295US-NP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Collis et al

Group Art:

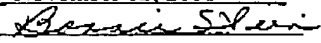
Serial No.: 09/871,564

Filed: May 31, 2001

Title: Heteroaryl-Cyclic Acetals

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, Box: Missing Parts, Washington, D.C. 20231, on

Date of Deposit: November 12, 2001

Bonnie Stein
Signature

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILING DATE GRANTED

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Box Missing Parts

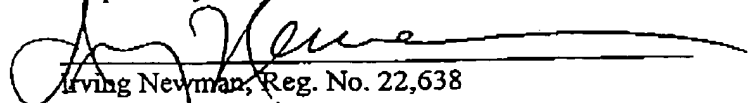
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Respectfully submitted,


Irving Newman, Reg. No. 22,638
Attorney for Applicant

Enclosures: Formalities Letter
Signed Declaration and Power of Attorney
Petition for Extension of Time

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone: 908-231-2785
Telefax: 908-231-2626
Docket No. CA2295US-NP

JAN. 8. 2004 10:58AM

AVENTIS US PAT DEPT

NO. 5803 1 P 10/28

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JAN 08 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Collis et al

Group Art:

Serial No.: 09/871,564

Filed: May 31, 2001

Title: Heteroaryl-Cyclic Acetals

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Date of Deposit: November 12, 2001

Bonnie Stein
Signature

Bonnie Stein

RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION FILING DATE GRANTED

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Box Missing Parts

Sir:

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Respectfully submitted,

Irving Newman
Irving Newman, Reg. No. 22,638
Attorney for Applicant

Enclosures: Formalities Letter
Signed Declaration and Power of Attorney
Petition for Extension of Time

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone: 908-231-2785
Telefax: 908-231-2626
Docket No. CA2295US-NP

PTO/SB/22 (8-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Aventis Docket Number CA2295US-NP	
In re Application of Collis, et al			
Application Number 09.871,564		Filed May 31, 2001	
For Heteroaryl-Cyclic Acetis			
Group Art Unit TBD		Examiner TBD	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension fees are as follows (check time period desired):

<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$ 110.00
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$ 400.00
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$ 920.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$ 1,440.00
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$ 1,960.00

☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

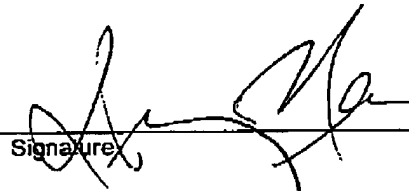
☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 18-1982. I have enclosed a duplicate copy of this sheet.

I am the ☐ assignee of record of the entire interest.

☐ applicant.

☒ attorney or agent of record (Customer No. 005487).

November 12, 2001
Date


Signature

Irving Newman
Typed or Printed Name

Burden Hour Statement. This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Aventis Docket Number
CA2295US-NP

In re Application of Collis, et al

Application Number 09.871,564

Filed May 31, 2001

For Heteroaryl-Cyclic Acetis

Group Art Unit TBD

Examiner TBD

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension fees are as follows
(check time period desired):

- | | |
|--|-------------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$ 110.00 |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ 400.00 |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ 920.00 |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ 1,440.00 |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ 1,960.00 |

☒ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 18-1982.
I have enclosed a duplicate copy of this sheet.

I am the ☐ assignee of record of the entire interest.
☐ applicant.
☒ attorney or agent of record (Customer No. 005487).

November 12, 2001

Date

Signature

Irving Newman

Typed or Printed Name

Burden Hour Statement. This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.USPTO.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/871,564	05/31/2001	Alan Collis	CA2295US-NP

005487
AVENTIS PHARMACEUTICALS, INC.
PATENTS DEPARTMENT
ROUTE 202-206, P.O. BOX 6800
BRIDGEWATER, NJ 08807-0800

CONFIRMATION NO. 1142
FORMALITIES LETTER

OC00000006380719

Date Mailed: 08/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

UNITED STATES OF AMERICA

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor(s), I/We hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) are as stated below my name(s).
I/We verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HETEROARYL-CYCLIC ACETALS

and the specification of which ☐ is attached hereto (Attorney Docket No. CA2295US CNT)
(check one) ☒ was filed on **May 31, 2001** as U.S. Application Number **09/871,564**
and was amended on (if applicable).
☐ was described and claimed in PCT Int'l Application Number filed on
and as amended under PCT Article 19 on (if any).

I/We hereby state that I/We have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.
I/We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 C.F.R. 1.56.

☒ I/We hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one other country other than the United States of America, listed below and having a filing date before that of the application on which priority is claimed. I/We have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Priority:	9827721.3 Number	GB Country	16 December 1998 Day/Month/Year Filed
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Prior Foreign Appln(s):	Number	Country	Day/Month/Year Filed
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☒ I/We hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional application(s) listed below:

60/122,425 Number	2 March 1999 Filing Date
-----------------------------	------------------------------------

☒ I/We hereby claim the benefit under Title 35, United States Code §120 or 365(c) of any United States application(s) or international application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I/We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

PCT/GB99/04283 Application Serial No.	16 December 1999 Filing Date	Completed Status (Patented, Pending)
---	--	--

I/We hereby appoint the attorneys and/or agents associated with the Customer No.(s) provided below as my/our attorneys and/or agents with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer No.: 005487

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States code §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventors(s): ☒ Additional names and signatures are attached.

UNITED STATES OF AMERICA

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor(s), I/We hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) are as stated below my name(s).
I/We verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HETEROARYL-CYCLIC ACETALS

and the specification of which ☐ is attached hereto (Attorney Docket No. CA2295US CNT)
(check one) ☒ was filed on May 31, 2001 as U.S. Application Number 09/871,564
and was amended on _____ (if applicable).
☐ was described and claimed in PCT Int'l Application Number _____ filed on _____
and as amended under PCT Article 19 on _____ (if any).

I/We hereby state that I/We have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.
I/We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 C.F.R. 1.56.

- ☒ I/We hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one other country other than the United States of America, listed below and having a filing date before that of the application on which priority is claimed. I/We have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Priority:	<u>9827721.3</u> Number	<u>GB</u> Country	<u>16 December 1998</u> Day/Month/Year Filed
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Prior Foreign Appin(s):	Number	Country	Day/Month/Year Filed
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- ☒ I/We hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional application(s) listed below:

<u>60/122,425</u> Number	<u>2 March 1999</u> Filing Date
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- ☒ I/We hereby claim the benefit under Title 35, United States Code §120 or 365(c) of any United States application(s) or international application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112. I/We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>PCT/GB99/04283</u> Application Serial No.	<u>16 December 1999</u> Filing Date	<u>Completed</u> Status (Patented, Pending)
---	--	--

I/We hereby appoint the attorneys and/or agents associated with the Customer No.(s) provided below as my/our attorneys and/or agents with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer No.: 005487

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States code §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventors(s): ☒ Additional names and signatures are attached.

1. Full name: Alan COLLIS

Signature: _____

Date: _____

Country of Citizenship: GBResidence: Basking Ridge, New Jersey

(City and State/City and Country only)

P. O. Address: 34 Willow StreetBasking Ridge, New Jersey 07920USA3. Full name: Iain McLAYSignature: I. McLayDate: 4 Oct 2001Country of Citizenship: GBResidence: Loughton, UK

(City and State/City and Country only)

P. O. Address: 9, Sutton CloseLoughtonEssex, IG10 3DPUK

5. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

7. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

2. Full name: Frank HALLEY

Signature: _____

Date: _____

Country of Citizenship: FRResidence: Sèvres, France

(City and State/City and Country only)

P. O. Address: 26 Rue de la Borne au DiableSèvres, 92310FRANCE

4. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

6. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

8. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

Aventis Pharmaceuticals Inc.

Patent Department

Route #202-206

P.O. Box 6800

Mail Code EMC-G1

Bridgewater, NJ 08807-0800

Telephone (908) 231-2785

Telefax (908) 231-2626

File: CA2295US CNT

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below named inventor(s), I/We hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) are as stated below my name(s).
I/We verily believe I am/we are the original, first and sole/joint inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HETEROARYL-CYCLIC ACETALS

and the specification of which (check one) ☐ is attached hereto (Attorney Docket No. CA2295US CNT)
☒ was filed on **May 31, 2001** as U.S. Application Number **09/871,564**
and was amended on (if applicable).
☐ was described and claimed in PCT Int'l Application Number filed on
and as amended under PCT Article 19 on (if any).

I/We hereby state that I/We have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above.
I/We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 C.F.R. 1.56.

- ☒ I/We hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or 365 (b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one other country other than the United States of America, listed below and having a filing date before that of the application on which priority is claimed. I/We have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Foreign Priority:	<u>9827721.3</u> Number	<u>GB</u> Country	<u>16 December 1998</u> Day/Month/Year Filed
----------------------	----------------------------	----------------------	---

Prior Foreign Appln(s):	Number	Country	Day/Month/Year Filed
-------------------------------	--------	---------	----------------------

- ☒ I/We hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional application(s) listed below:

<u>60/122,425</u> Number	<u>2 March 1999</u> Filing Date
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- ☒ I/We hereby claim the benefit under Title 35, United States Code §120 or 365(c) of any United States application(s) or international application designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I/We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>PCT/GB99/04283</u> Application Serial No.	<u>16 December 1999</u> Filing Date	<u>Completed</u> Status (Patented, Pending)
---	--	--

I/We hereby appoint the attorneys and/or agents associated with the Customer No.(s) provided below as my/our attorneys and/or agents with full power to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Customer No.: 005487

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States code §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventors(s): ☒ Additional names and signatures are attached.

JAN. 8. 2004 11:00AM

AVENTIS US PAT DEPT

NO. 5803 P. 19/23

1. Full name: Alan COLLIS

Signature: _____

Date: _____

Country of Citizenship: GB

Residence: Basking Ridge, New Jersey

(City and State/City and Country only)

P. O. Address: 34 Willow Street

Basking Ridge, New Jersey 07920

USA

3. Full name: Iain McLAY

Signature: _____

Date: _____

Country of Citizenship: GB

Residence: Loughton, UK

(City and State/City and Country only)

P. O. Address: 9, Sutton Close

Loughton

Essex, IG10 3DP

UK

5. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

2. Full name: Frank HALLEY

Signature: [Signature]

Date: 24th July 2004

Country of Citizenship: FR

Residence: Sèvres, France

(City and State/City and Country only)

P. O. Address: 26 Rue de la Borne au Diable

Sèvres, 92310

FRANCE

4. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

6. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

7. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

8. Full name: _____

Signature: _____

Date: _____

Country of Citizenship: _____

Residence: _____

(City and State/City and Country only)

P. O. Address: _____

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206
P.O. Box 6800
Mail Code EMC-G1
Bridgewater, NJ 08807-0800
Telephone (908) 231-2785
Telefax (908) 231-2626
File: CA2295US CNT

APPLICANT: <u>Collis, et al</u>	SERIAL NO. <u>09/871,564</u>	DATE <u>11-12-01</u>
DOCKET NO. <u>PA 229545-NP</u>	ATTY <u>I. Newman</u>	
APPLICANT(S)		
TITLE OF INVENTION: <u>Heteroaryl-Cyclic Acetals</u>		

The Patent Office acknowledges and has stamped hereon the date of receipt of the items checked below:

<input type="checkbox"/> Affidavit/Declaration, 37 CFR	<input type="checkbox"/> Maintenance fee transmittal
<input type="checkbox"/> Amendment, 37 CFR	<input type="checkbox"/> Patent Application
<input type="checkbox"/> Appeal notice/Appeal Brief	<input type="checkbox"/> # of pages
<input type="checkbox"/> Assignment & Cover Sheet	<input type="checkbox"/> # of sheets of drawings
<input type="checkbox"/> Cert. of correction request	<input type="checkbox"/> Declaration/Oath: signed _____ unsigned _____
<input type="checkbox"/> Cert. of EPO Marfing, Date: _____	<input type="checkbox"/> Transmittal letter
<input type="checkbox"/> No. _____	<input type="checkbox"/> PCT Application, transmittal, request & fee sheet
<input type="checkbox"/> Charge deposit account, in duplicate	<input type="checkbox"/> Petition under 37 CFR
<input type="checkbox"/> Check \$ _____ for _____	<input checked="" type="checkbox"/> Power of Attorney Signed <u>FOR (6 pg)</u>
<input type="checkbox"/> Demand for PCT examination	<input checked="" type="checkbox"/> Priority claim Formalities Letter (1 pg)
<input checked="" type="checkbox"/> Extension of time petition <u>+ 1 copy</u>	<input type="checkbox"/> Reply, 37 CFR
<input type="checkbox"/> IDS (Information disclosure statement)	<input checked="" type="checkbox"/> Other <u>Response To Notice To File</u>
PTO Form 1449: # of pages enc. _____	<u>Missing Parts of Nonprovisional</u>
# of reference enc. _____	<u>Application Filing Date Granted</u>
<input type="checkbox"/> Issue fee transmittal & advance order	PTO Date Stamp and Return <u>(1 pg) + 2 copies</u>



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/871,564	05/31/2001	Alan Collis	CA2295US-NP

005487
AVENTIS PHARMACEUTICALS, INC.
PATENTS DEPARTMENT
ROUTE 202-206, P.O. BOX 6800
BRIDGEWATER, NJ 08807-0800



CONFIRMATION NO. 1142

FORMALITIES LETTER



OC000000007537590

Date Mailed: 02/26/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/14/2002 to the Notice to File Missing Parts (Notice) mailed 08/03/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The signature of the following inventor(s) is missing from the oath or declaration:
Alan Collis

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

ACTION DUE	<u>Reply to Notice</u>
DUE DATE	<u>3/5/02</u>
DKTD BY	<u>Jes 3/4/02</u>
ATTY	<u>PRD</u>

JAN. 8. 2004 11:01AM

AVENTIS US PAT DEPT

NO. 5803 P. 22/23

P. 1

* * * COMMUNICATION RESULT REPORT (MAR. 7. 2002 11:13AM) * * *

TTI AVENTIS US PAT DEPT

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
3472 MEMORY TX		917038729306	OK	18/18

ACTION DUE <i>Decision on Petition</i>	
DUE DATE	<i>4-7-02</i>
DKTD BY	<i>Ry 3-11-02</i>
ATTY	<i>PRD</i>

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWERE-2) BUSY
E-4) NO FACSIMILE CONNECTIONFAX TRANSMITTAL
TO THE UNITED STATES PATENT OFFICEApplicants Docket Number:
CA2295US-NPApplicants:
Alan Collis, et al.Serial No.
09/871,564Filing Date:
May 31, 2001Title of Invention:
Heteroaryl-Cyclic AcetalsTO: Commissioner for Patents
Box DAC
Washington, D.C. 20231

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via
facsimile to the Commissioner for Patents, Washington, D.C. 20231.
703-872-9296, at Box DAC, onDate of Deposit *March 7, 2002*Printed Name of Person Signing Certificate *Paul R. Darkes*Signature *Paul R. Darkes*

Total Number of Pages Sent: 18

Attorney: Paul R. Darkes

Registration No. 33,862

Group Art Unit: 1614

Examiner: Not yet assigned

Please acknowledge receipt of the below-listed documents for the above Application by returning this sheet, signed and dated, by return telefax to (908) 231-2626. If any fees are required, please charge our deposit account (18-1982) in the name of Aventis Pharmaceuticals Inc.

TO:Auto-reply fax to 9082312626 COMPANY:

Auto-Reply Facsimile Transmission

UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

Fax Sender at 9082312626

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Date Received:

Total Pages:

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18 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 702.04 et seq.

Received
Cover
Page

MAR. 3. 2502 11-03AM AVENTIS IS PAT DEPT VC. 5472 2, 1

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